

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KAREN BARBA-FRANCO,

Defendant.

8:21-CR-224

**ORDER GRANTING MOTION TO
WITHDRAW AND DENYING MOTION
TO REDUCE SENTENCE**

This matter is before the Court on the *pro se* Motion to Reduce Sentence filed by Karen Barba-Franco, [Filing 148](#), and the Motion to Withdraw filed by Federal Public Defender, David R. Stickman. [Filing 150](#). After Barba-Franco filed her Motion to Reduce Sentence, the Office of the Federal Public Defender was appointed to represent her pursuant to General Order No. 2023-09. [Filing 149](#). The purpose of this appointment was to determine whether Barba-Franco qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 149 at 1](#). On February 26, 2024, Mr. Stickman moved to withdraw as counsel because “the Defendant has one criminal history-point and, as such, does not qualify for reduction under U.S.S.G. section 4C1.1.” [Filing 150 at 1](#). The United States Probation Office also submitted a worksheet in this case which states that Barba-Franco is not entitled to a reduction for this same reason. [Filing 151 at 1](#).

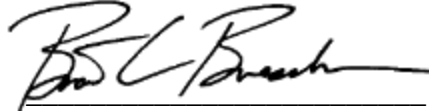
The Court has conducted its own review of Barba-Franco’s *pro se* Motion, [Filing 148](#), along with other relevant matters in the record. The Court concludes that Barba-Franco is not entitled to the sentencing relief she seeks. Her *pro se* Motion, [Filing 148](#), is therefore without merit and will be denied. The Court likewise concludes that Mr. Stickman’s Motion to Withdraw should be granted for the reasons he set forth in his Motion. Accordingly,

IT IS ORDERED:

1. Federal Public Defender David R. Stickman's Motion to Withdraw, [Filing 150](#), is granted; and
2. Karen Barba-Franco's *pro se* Motion to Reduce Sentence, [Filing 148](#), is denied.

Dated this 11th day of March, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'B. C. Buescher', written over a horizontal line.

Brian C. Buescher
United States District Judge